



Signed and Filed: June 02, 2011

A handwritten signature in black ink, appearing to read "T. E. Carlson", is written over a horizontal line.

THOMAS E. CARLSON
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re)	Case No. 11-30620 TEC
)	
THEODORAS KOLIATSISS,)	Chapter 11
aka TED KOLIATSISS,)	
dba 4TH & GEARY FARMERS MARKET,)	
)	<u>TRIAL SCHEDULING ORDER</u>
)	B.R. 7016
)	Fed. R. Civ. P. 16
)	
Debtor.)	

On May 27, 2011, the court held a hearing regarding Debtor's motion to value the lien of Wells Fargo Bank and a status conference. Steven B. Mains appeared for Wells Fargo Bank, National Association. Saman Taherian appeared for Debtor. Upon due consideration, and for the reasons stated on the record at the hearing, the court hereby establishes the following schedule:

(1) The court will hold a continued chapter 11 status conference on September 13, 2011 at 9:30 a.m.

(2) On or before September 5, 2011, counsel shall file and serve upon each other their appraisal of the real property known as 3931-3953 Geary Boulevard, San Francisco, CA 94118 (the Property).

TRIAL SCHEDULING ORDER

1 (3) Direct testimony of the appraisers shall be limited to an
2 adoption of her or his appraisal report as the witness's direct
3 testimony and an explanation of why the witness disagrees with the
4 other party's valuation of the Property.

5 (4) Each appraiser or other witnesses regarding value of the
6 Property shall appear at trial and be subject to cross-examination
7 unless the opposing party excuses in writing that witness's
8 appearance (an e-mail is a sufficient writing).

9 (5) An evidentiary hearing to determine the value of the
10 Property will commence on September 13, 2011 at 9:30 a.m. at the
11 United States Bankruptcy Court, 235 Pine Street, Twenty-Third
12 Floor, San Francisco, California. Seven calendar days before the
13 trial date counsel shall inform the courtroom deputy (Gordon Hom
14 (415) 268-2362) whether the parties have settled and, if not, how
15 much time the trial will require. During the week prior to the
16 trial date the court may reschedule the trial to a later day during
17 the week of the trial date. Counsel should be prepared to go to
18 trial at any time during the week of the trial date.

19 (6) Seven calendar days before the scheduled trial date,
20 counsel shall: (a) serve and file trial briefs, if any (briefs
21 shall not exceed twenty-five pages without **prior** permission of the
22 court); (b) exchange copies of all exhibits to be offered, other
23 than those to be used for impeachment or rebuttal; and (c) exchange
24 a list of expected witnesses, other than those to be called for
25 impeachment or rebuttal, including a brief summary of each
26 witness's expected testimony.

27 (7) Counsel shall also: (a) premark all exhibits **before** trial
28

TRIAL SCHEDULING ORDER

1 (Debtor's exhibits should be marked by number, Wells Fargo's
2 exhibits should be marked by letter); (b) bring sufficient copies
3 of exhibits for all counsel, the witness, and the court; (c) in
4 any case in which the party expects to offer more than ten
5 exhibits, place the exhibits in a three-ring binder with an
6 appropriate tab attached to each exhibit; (d) number the pages of
7 any exhibit that has more than one page; (e) promptly advise the
8 opposing party of any objections to the introduction of the
9 opposing party's proposed testimony or exhibits; and (f) meet
10 before trial to attempt to reach agreement regarding the
11 admissibility of testimony and exhibits.

12 The court may exclude evidence, postpone trial, or impose
13 monetary sanctions for failure to comply with this order.

14 IT IS SO ORDERED.

15 **END OF ORDER**
16
17
18
19
20
21
22
23
24
25
26
27
28

TRIAL SCHEDULING ORDER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Court Service List

Theodoras Koliatsis
3953 Geary Boulevard
San Francisco, CA 94118

United States Bankruptcy Court
Northern District of California

In re:
Theodoros Koliatsis
Debtor

Case No. 11-30620-TEC
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0971-3

User: mwalker
Form ID: pdfec

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jun 03, 2011

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 05, 2011.

db +Theodoros Koliatsis, 3953 Geary Boulevard, San Francisco, CA 94118-3218

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 05, 2011

Signature:

